

RECEIVED

AUG 05 2005

DEPARTMENT OF
WATER RESOURCES

Jeffrey C. Fereday (Idaho State Bar # 2719)
Michael C. Creamer (Idaho State Bar # 4030)
GIVENS PURSLEY LLP
601 Bannock Street, Suite 200
P.O. Box 2720
Boise, ID 83701-2720
Telephone: (208) 388-1200
Facsimile: (208) 388-1300

Attorneys for Idaho Ground Water Appropriators, Inc.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF DISTRIBUTION OF
WATER TO VARIOUS WATER RIGHTS
HELD BY OR FOR THE BENEFIT OF A & B
IRRIGATION DISTRICT, AMERICAN FALLS
RESERVOIR DISTRICT #2, BURLEY
IRRIGATION DISTRICT, MILNER
IRRIGATION DISTRICT, MINIDOKA
IRRIGATION DISTRICT, NORTH SIDE
CANAL COMPANY, and TWIN FALLS
CANAL COMPANY

**SECOND AFFIDAVIT OF CHARLES M.
BRENDKECKE, PH.D., P.E., REGARDING
REPLACEMENT WATER PLAN**

State of Colorado)
) ss.
County of Boulder)


CHARLES M. BRENDKECKE, Ph.D., P.E., being first duly sworn on oath, deposes and
says:

1. My qualifications are set out in my affidavit attached as an exhibit to *IGWA's
Motion to Reduce Replacement Water Obligation* filed in this matter on June 13, 2005 ("June 13
Affidavit"). This Second Affidavit is intended to update and augment my June 13 Affidavit.


2. On August 4, 2005, I had a telephone conversation with Tony Olenichak, the Water District 01 hydrologist, concerning the amount of 2005 natural flow diversion the Water District currently has accounted for American Falls Reservoir District #2 ("AFRD #2"). I have consulted Mr. Olenichak on occasions in the past and have found him to be a reliable source of information concerning water administration and water deliveries in Water District 01. Mr. Olenichak provided me with the data printout attached hereto as Exhibit A. This data printout contains preliminary District 01 accounting of natural flow and storage diversions by AFRD#2 for the period between April 1 and August 3, 2005. It shows that so far in 2005, AFRD #2 has diverted 116,300 acre-feet of natural flow from the Snake River.

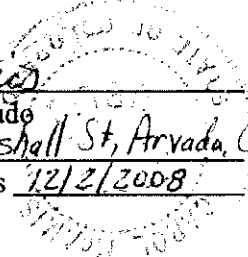
3. While Mr. Olenichak explained that this figure is preliminary, I find it to be reasonable. According to the Director's May 2 Order in this matter, AFRD #2 holds a natural flow water right for 1,700 cfs. If this amount were diverted full-time for only 35 days, it would amount to more than the 116,300 af that the preliminary Water District 01 records indicate AFRD #2 has diverted. The wet period in the early portion of this year's irrigation season, during which reservoirs were filling and no storage was being delivered, lasted longer than 35 days.

DATED this 5th day of August 2005.


Charles M. Brendecke, Ph.D., P.E.

SUBSCRIBED AND SWORN to before me this 5th day of August 2005.


Notary Public for Colorado
Residing at 7988 Marshall St, Arvada, CO 8000
My Commission Expires 12/2/2008



CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of August 2005, I served a true and correct copy of the foregoing by delivering it to the following individuals by the method indicated below, addressed as stated.

Mr. Karl J. Dreher
Director
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

☐ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☒ Hand Delivery
☐ E-mail

C. Tom Arkoosh, Esq.
Arkoosh Law Offices, Chtd.
301 Main Street
P.O. Box 32
Gooding, ID 83330

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

W. Kent Fletcher, Esq.
Fletcher Law Office
P.O. Box 248
Burley, ID 83318-0248

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Roger D. Ling, Esq.
Ling, Robinson & Walker
615 H St.
P.O. Box 396
Rupert, ID 83350-0396

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

John A. Rosholt, Esq.
John K. Simpson, Esq.
Travis L. Thompson, Esq.
Barker, Rosholt & Simpson
113 Main Avenue West, Ste. 303
Twin Falls, ID 83301-6167

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Kathleen Marion Carr, Esq.
Office of the Field Solicitor
U.S. Department of the Interior
550 West Fort Street, MSC 020
Boise, ID 83724-0020

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Matt J. Howard, Esq.
U.S. Bureau of Reclamation
Pacific Northwest Region
1150 N. Curtis Road
Boise, ID 83706-1234

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Scott L. Campbell, Esq.
Moffatt Thomas Barrett Rock & Fields, Chtd.
101 S. Capitol Blvd., 10th Floor
P.O. Box 829
Boise, ID 83701-0829

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Michael S. Gilmore, Esq.
Deputy Attorney General
Civil Litigation Division
Office of the Attorney General
P.O. Box 83720
Boise, ID 83720-0010

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Josephine P. Beeman, Esq.
Beeman & Associates PC
409 West Jefferson
Boise, ID 83702-6049

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Sarah A. Klahn, Esq.
White & Jankowski, LLP
511 16th Street, Suite 500
Denver, CO 80202

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Terry T. Uhling, Esq.
J.R. Simplot Company
999 Main Street
P.O. Box 27
Boise, ID 83707

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

James C. Tucker, Esq.
Idaho Power Company
1221 West Idaho
P.O. Box 70
Boise, ID 83707

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

James S. Lochhead, Esq.
Adam T. DeVoe, Esq.
Brownstein, Hyatt & Farber P.C.
410 17th Street, 22nd Floor
Denver, CO 80202

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Mr. Ron Carlson
Mr. Lewis Rounds
Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Dr.
Idaho Falls, ID 83402-6105

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

Mr. Allen Merritt
Ms. Cindy Yenter
Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3033

☒ U.S. Mail
☐ Facsimile
☐ Overnight Mail
☐ Hand Delivery
☐ E-mail

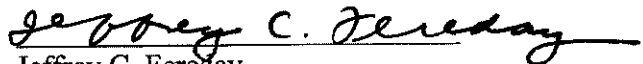

Jeffrey C. Fereday

Exhibit A

DAY	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	0.0	604	1030	1644	1586	---	---
2	---	---	---	---	0.0	629	1032	1657	1587	---	---
3	---	---	---	---	0.0	670	1085	1667	1585	---	---
4	---	---	---	---	0.0	735	1123	1673	---	---	---
5	---	---	---	---	0.0	778	1124	1707	---	---	---
6	---	---	---	---	0.0	871	1126	1721	---	---	---
7	---	---	---	---	0.0	1006	1123	1719	---	---	---
8	---	---	---	---	0.0	1106	1125	1721	---	---	---
9	---	---	---	---	0.0	936	1123	1712	---	---	---
10	---	---	---	---	0.0	912	1123	1714	---	---	---
11	---	---	---	---	0.0	937	1122	1721	---	---	---
12	---	---	---	---	0.0	712	1120	1693	---	---	---
13	---	---	---	---	0.0	677	1124	1672	---	---	---
14	---	---	---	---	0.0	752	1190	1673	---	---	---
15	---	---	---	---	0.0	803	1254	1673	---	---	---
16	---	---	---	---	0.0	848	1310	1671	---	---	---
17	---	---	---	---	0.0	872	1362	1661	---	---	---
18	---	---	---	---	0.0	751	1363	1632	---	---	---
19	---	---	---	---	0.0	797	1363	1624	---	---	---
20	---	---	---	---	0.0	808	1364	1624	---	---	---
21	---	---	---	---	0.0	832	1371	1635	---	---	---
22	---	---	---	---	0.0	873	1378	1639	---	---	---
23	---	---	---	---	0.0	917	1380	1644	---	---	---
24	---	---	---	---	0.0	933	1410	1643	---	---	---
25	---	---	---	---	119	960	1465	1640	---	---	---
26	---	---	---	---	195	998	1488	1615	---	---	---
27	---	---	---	---	287	1035	1489	1582	---	---	---
28	---	---	---	---	363	1034	1472	1584	---	---	---
29	---	---	---	---	476	1034	1533	1584	---	---	---
30	---	---	---	---	604	1038	1595	1585	---	---	---
31	---	---	---	---	---	1035	---	1587	---	---	---
TOTAL					2047	26908	38181	51335	4759		
MEAN					68	868	1273	1656	1586		
MAX					605	1106	1595	1722	1588		
MIN					0.0	604	1030	1582	1585		
AC-FT					4060	53373	75732	101823	9439		
IRRIGATION YEAR 2005				TOTAL	123230	MEAN	338	AC-FT	244427		

13086530 AMERICAN FALLS RESERVOIR DISTRICT #2
NATURAL FLOW DIVERTED, CFS , IRRIGATION YEAR NOVEMBER 2004 TO OCTOBER 2005

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	0.0	604	1030	0.0	0.0	---	---
2	---	---	---	---	---	0.0	629	1032	0.0	0.0	---	---
3	---	---	---	---	---	0.0	570	1085	0.0	0.0	---	---
4	---	---	---	---	---	0.0	735	1123	0.0	---	---	---
5	---	---	---	---	---	0.0	778	1124	0.0	---	---	---
6	---	---	---	---	---	0.0	871	1126	0.0	---	---	---
7	---	---	---	---	---	0.0	328	1123	0.0	---	---	---
8	---	---	---	---	---	0.0	597	1125	0.0	---	---	---
9	---	---	---	---	---	0.0	936	211	0.0	---	---	---
10	---	---	---	---	---	0.0	912	163	0.0	---	---	---
11	---	---	---	---	---	0.0	937	1122	0.0	---	---	---
12	---	---	---	---	---	0.0	712	1120	0.0	---	---	---
13	---	---	---	---	---	0.0	677	1124	0.0	---	---	---
14	---	---	---	---	---	0.0	752	1190	0.0	---	---	---
15	---	---	---	---	---	0.0	803	1254	0.0	---	---	---
16	---	---	---	---	---	0.0	848	1122	0.0	---	---	---
17	---	---	---	---	---	0.0	872	1362	0.0	---	---	---
18	---	---	---	---	---	0.0	751	1363	0.0	---	---	---
19	---	---	---	---	---	0.0	797	1043	0.0	---	---	---
20	---	---	---	---	---	0.0	808	623	0.0	---	---	---
21	---	---	---	---	---	0.0	832	785	0.0	---	---	---
22	---	---	---	---	---	0.0	873	1378	0.0	---	---	---
23	---	---	---	---	---	0.0	917	1380	0.0	---	---	---
24	---	---	---	---	---	0.0	933	1410	0.0	---	---	---
25	---	---	---	---	---	0.0	960	1402	0.0	---	---	---
26	---	---	---	---	---	0.0	998	1029	0.0	---	---	---
27	---	---	---	---	---	0.0	1035	1489	0.0	---	---	---
28	---	---	---	---	---	0.0	1034	1472	0.0	---	---	---
29	---	---	---	---	---	0.0	1034	1533	0.0	---	---	---
30	---	---	---	---	---	0.0	1038	582	0.0	---	---	---
31	---	---	---	---	---	---	1035	---	0.0	---	---	---
TOTAL						0	25722	32939	0	0		
MEAN						0.0	830	1098	0.0	0.0		
MAX						0.0	1039	1533	0.0	0.0		
MIN						0.0	329	164	0.0	0.0		
AC-FT						0	51020	65335	0	0		
IRRIGATION YEAR 2005												
	TOTAL	58661	MEAN	161	AC-FT	116354						

13086530 AMERICAN FALLS RESERVOIR DISTRICT #2
 DAILY STORAGE DIVERSION, CFS , IRRIGATION YEAR NOVEMBER 2004 TO OCTOBER 2005

DAY	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT
1	---	---	---	---	---	0.0	0.0	0.0	1644	1586	---	---
2	---	---	---	---	---	0.0	0.0	0.0	1587	1587	---	---
3	---	---	---	---	---	0.0	0.0	0.0	1667	1585	---	---
4	---	---	---	---	---	0.0	0.0	0.0	1673	---	---	---
5	---	---	---	---	---	0.0	0.0	0.0	1707	---	---	---
6	---	---	---	---	---	0.0	0.0	0.0	1721	---	---	---
7	---	---	---	---	---	0.0	677	0.0	1719	---	---	---
8	---	---	---	---	---	0.0	508	0.0	1721	---	---	---
9	---	---	---	---	---	0.0	0.0	912	1712	---	---	---
10	---	---	---	---	---	0.0	0.0	959	1714	---	---	---
11	---	---	---	---	---	0.0	0.0	0.0	1721	---	---	---
12	---	---	---	---	---	0.0	0.0	0.0	1693	---	---	---
13	---	---	---	---	---	0.0	0.0	0.0	1672	---	---	---
14	---	---	---	---	---	0.0	0.0	0.0	1673	---	---	---
15	---	---	---	---	---	0.0	0.0	0.0	1673	---	---	---
16	---	---	---	---	---	0.0	0.0	187	1671	---	---	---
17	---	---	---	---	---	0.0	0.0	0.0	1661	---	---	---
18	---	---	---	---	---	0.0	0.0	0.0	1632	---	---	---
19	---	---	---	---	---	0.0	0.0	320	1624	---	---	---
20	---	---	---	---	---	0.0	0.0	741	1624	---	---	---
21	---	---	---	---	---	0.0	0.0	585	1635	---	---	---
22	---	---	---	---	---	0.0	0.0	0.0	1639	---	---	---
23	---	---	---	---	---	0.0	0.0	0.0	1644	---	---	---
24	---	---	---	---	---	0.0	0.0	0.0	1643	---	---	---
25	---	---	---	---	---	119	0.0	62	1640	---	---	---
26	---	---	---	---	---	195	0.0	459	1615	---	---	---
27	---	---	---	---	---	287	0.0	0.0	1582	---	---	---
28	---	---	---	---	---	363	0.0	0.0	1584	---	---	---
29	---	---	---	---	---	476	0.0	0.0	1584	---	---	---
30	---	---	---	---	---	604	0.0	1012	1585	---	---	---
31	---	---	---	---	---	---	0.0	---	1587	---	---	---
TOTAL						2047	1186	5242	51335	4759		
MEAN						68	38	175	1656	1586		
MAX						605	678	1013	1722	1588		
MIN						0.0	0.0	0.0	1582	1585		
AC-FT						4060	2352	10397	101823	9439		
IRRIGATION YEAR 2005	TOTAL	64569	MEAN	177	AC-FT	128072						